

**U.S. Department of the Interior
Bureau of Land Management
San Luis Valley Field Office
46525 Highway 114
Saguache, CO 81212**

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-300-2013-0003-CX

CASEFILE/PROJECT NUMBER (optional):

PROJECT NAME: Assignment of ROW Grant COC-62254 to Terry Hillin

PLANNING UNIT:

LEGAL DESCRIPTION: New Mexico Principal Meridian,
T.35N, R.7E, Sec 6, Lots 8, 14, 15 Conejos County, Colorado
T.36N, R.7E, Sec 31 Lots 5, 11, 12, 13, 19 Conejos County, Colorado

APPLICANT:

DESCRIPTION OF PROPOSED ACTION COC-62254, ROW Grant, was issued for improvements and maintenance of a BLM system road 5074 that leads to private property. The ROW Grant was initially authorized on 07-09-1998 to Jacqueline Dunn. Presently, the property has currently been sold to Terry Hillin who is now requesting an assignment (transfer) of the ROW Grant. He does not propose any improvements on the road other than what's currently authorized on the ROW Grant such as simple maintenance.

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) the following plan:

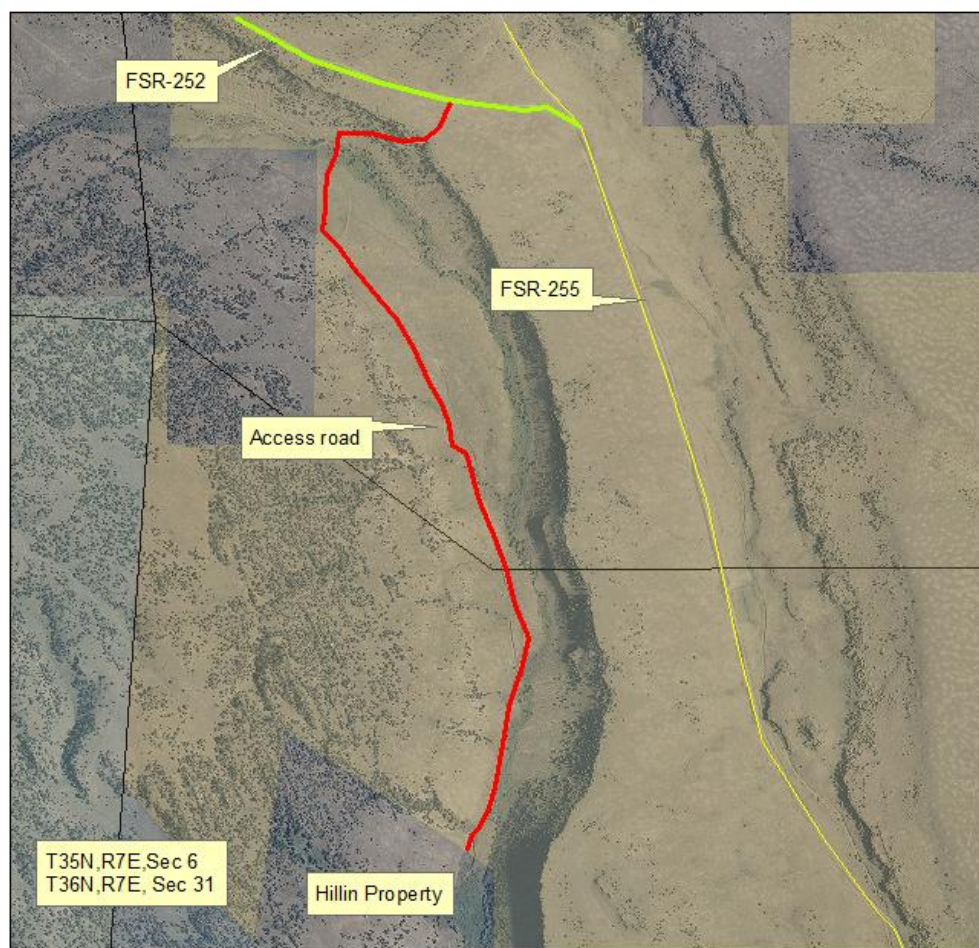
Name of Plan: San Luis Resource Management Plan

Date Approved: December 18, 1991

Decision Number: ROD – 1 -17 (Lands and Realty- LUA), Page 15

Decision Language: All other BLM lands will be open to rights-of-ways for other utility lines, roads, etc... and each request will be evaluated on a case-by-case basis for alignment and mitigation stipulations

Exhibit A
Map



CATEGORICAL EXCLUSION REVIEW: This proposed action is listed as a Categorical Exclusion in DOI Departmental Manual Part 516 Chapter 11 J (10). None of the following exceptions in 516 DM 2, Appendix 2, apply.

Exclusion Criteria	YES	NO
1. Have significant impacts on public health or safety.		X
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; lands with wilderness characteristics; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		X
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.		X
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		X
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
10. Have a disproportionately high and adverse effect on low income or minority populations.		X
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites.		X
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.		X

INTERDISCIPLINARY TEAM REVIEW			
NAME	TITLE	AREA OF RESPONSIBILITY	Initials/date
Alyssa Radcliff	Wildlife Biologist	Terrestrial Wildlife, T&E, Migratory Birds, Fisheries	AR 2/4/2013
Melissa Shawcroft	Range Management	Range, Vegetation, Farmland	MS 2/15/2013
Sue Swift-Miller/Jill Lucero	Wildlife Biologist	Wetlands/Fisheries	SWM 2/13/2013
Eduardo Duran	NRS	Riparian, T&E Plant species	END 2/26/2013
Nicolas Sandoval	Geologist	Minerals/ Waste/Hazmat	NS 3/04/2013 NAS 03/04/2013
Negussie Tedela	Hydrologist	Hydrology, Water Quality/Rights, Soils, Air Quality	NHT 1/30/13
Sean Hines/Leon Montoya	Cadastral Surveyor	Cadastral Survey	LM 1/30/13
Sean Noonan	Outdoor Recreation Planner	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers,	SN 02/20/2013
Mark Swinney,	Range Management	Invasive Plants	MAS 1/30/2013
Martin Weimer	NEPA Coordinator	Environmental Justice, Noise, SocioEconomics	mw, 1/30/13
Angie Krall	Archaeologist	Cultural, Native American	AK 1/6/2013
Leon Montoya	Realty Specialist	Lands & Realty	LM 1/30/2013
Paul Minow	Fire/Fuels Spec.	Fire/Fuels	psm, 1/31/13

REMARKS:

Cultural Resources: No historic properties were found in the area of potential effect. Therefore, the proposed project will have no impact on any historic properties (those eligible for the NRHP).

Native American Religious Concerns: There are no known Native American concerns in this area.

Discovery and Education: All persons in the area who are associated with this project shall be informed that any person who, without a permit, injures, destroys, excavates, appropriates or removes any historic or prehistoric ruin, artifact, object of antiquity, Native American remains, Native American cultural item, or archaeological resources on public lands is subject to arrest and penalty of law (16 USC 433, 16 USC 470, 18 USC 641, 18 USC 1170, and 18 USC 1361). Strict adherence to the confidentiality of information concerning the nature and location of archeological resources would be required of the proponent and all of their subcontractors (Archaeological Resource Protection Act, 16 U.S.C. 470hh). If subsurface cultural values are uncovered during operations, all work in the vicinity of the resource will cease and the Authorized Officer with the BLM notified immediately. The operator shall take any additional measures requested by the BLM to protect discoveries until they can be adequately evaluated by the permitted archaeologist. Within 48 hours of the discovery, the SHPO and consulting parties will be notified of the discovery and consultation will begin to determine an appropriate mitigation measure. BLM in cooperation with the operator will ensure that the discovery is protected from further disturbance until mitigation is completed. Operations may resume at the discovery site upon receipt of written instructions and authorization by the authorized officer.

Pursuant to 43 CFR 10.4(g), the holder must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony on federal land. Further, pursuant to 43 CFR 10.4 (c) and (d), the holder must stop activities in the vicinity of the discovery that could adversely affect the discovery. The holder shall make a reasonable effort to protect the human remains, funerary items, sacred objects, or objects of cultural patrimony for a period of thirty days after written notice is provided to the authorized officer, or until the authorized officer has issued a written notice to proceed, whichever occurs first

**Threatened, Endangered, Candidate, Proposed, Sensitive, Other Species of Concern
Wildlife Write-up**

There are no known threatened, endangered, candidate, proposed, special status, sensitive, or other species of concern that would be further affected by the ROW transfer of this existing access road and the associated maintenance involved. Habitat conditions within the ROW for wildlife species have not changed since first creation of this ROW.

COMPLIANCE PLAN (optional):

NAME OF PREPARER: Leon Montoya

NAME OF ENVIRONMENTAL COORDINATOR: Martin Weimer

DATE:

DECISION AND RATIONALE: I have reviewed this Categorical Exclusion and have decided to implement the Proposed Action.

This action is listed in the Department Manual as an action that may be categorically excluded. I have evaluated the action relative to the 10 criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL:

/s/ Paul Tigan
Paul Tigan,
Assistant Field Office Manager

DATE SIGNED: 3/12/13